

§ 130.19 [Reserved]

§ 130.20 User fees for endorsing export health certificates.

(a) All user fees in this paragraph are for services provided for the endorsement of export health certificates which do not require the verification of tests or vaccinations. The person for whom the service is provided and the person requesting the service are jointly and severally liable for paying the following user fees for each export health certificate⁸ endorsed for the following types of animals, birds, or animal products, regardless of the number of animals, birds, or animal products covered by the certificate.

| Certificate categories | User fee |
|--|----------|
| Slaughter animals, of any type, moving to Canada or Mexico | \$24.50 |
| Nonslaughter horses to Canada | 26.25 |
| Poultry | 21.00 |
| Hatching eggs | 21.00 |
| Animal products | 21.50 |
| Other endorsements or certifications | 16.50 |

(b)(1) All user fees in this paragraph are for services provided for the endorsement of export health certificates which require the verification of tests or vaccinations. The person for whom the service is provided and the person requesting the service are jointly and severally liable for paying the following user fees for each export health certificate endorsed for animals and birds, depending on the number of animals covered by the certificate and the number of tests required.

| Number of tests/vaccinations | Number of animals or birds on certificate | User fee |
|------------------------------|---|----------|
| 1–2 | First animal | \$52.50 |
| | Each additional animal | 3.00 |
| 3–6 | First animal | 64.75 |
| | Each additional animal | 5.00 |
| 7 or more | First animal | 75.75 |
| | Each additional animal | 6.00 |

(2) If an export certificate covers more than one animal, but the number of tests required for different animals are not the same, the user fee for the

⁸An export health certificate may need to be endorsed for an animal being exported from the United States if the country to which the animal is being shipped requires one. APHIS endorses export health certificates as a service.

certificate is the fee which would be due if all the animals on the certificate required the same number of tests as the animal which requires the greatest number of tests.

(c) The user fees prescribed in this section will not apply to an export health certificate if the export health certificate is prepared for endorsement completely at the site of the inspection by an APHIS veterinarian in the course of performing inspection or supervision services for the animals listed on the certificate, and an APHIS user fee is payable under § 130.21 of this part for the inspection or supervision services performed by the veterinarian.

(d) If a service must be conducted on a Sunday or holiday or at any other time outside the normal tour of duty of the employee, then reimbursable overtime, as provided for in part 97 of this chapter, must be paid for each service, in addition to the user fee listed in this section.

(Approved by the Office of Management and Budget under control number 0579–0055)

[57 FR 771, Jan. 9, 1992, as amended at 58 FR 38958, July 21, 1993. Redesignated at 58 FR 67655, Dec. 22, 1993, and amended at 58 FR 67656, Dec. 22, 1993; 61 FR 20434, 20436, May 7, 1996; 62 FR 61007, Nov. 14, 1997]

§ 130.21 User fees for inspection and supervision services provided within the United States for export animals, birds, and animal products and byproducts.

(a) The person for whom the service is provided and the person requesting the service are jointly and severally liable for paying the user fees for the following APHIS services provided within the United States for export animals or birds:

- (1) Inspecting an export isolation facility and the animals in it;
- (2) Supervising animal or bird rest periods prior to export;
- (3) Supervising loading or unloading of animals or birds for export shipment;
- (4) Inspecting means of conveyance used to export animals or birds;
- (5) Conducting inspections under authority of part 156 of this chapter;
- (6) Approving or inspecting an embryo or semen collection center or the animals in it; and

(7) Other export or embarkation services not specified elsewhere in this part.

(b) The user fees are charged per each employee required to perform the service:

- (1) \$56.00 per hour; and
- (2) \$14.00 per quarter-hour;
- (3) with a minimum user fee of \$16.50 for any service provided on an hourly basis.

(c) If a service must be conducted on a Sunday or holiday or at any other time outside the normal tour of duty of the employee, then the premium user fee rate, as provided for in 9 CFR part 97, in lieu of the user fee listed in paragraph (b) of this section, must be paid for each employee required to perform each service:

- (1) \$65.00 per hour for weekdays and holidays;
- (2) \$16.25 per quarter-hour for weekdays and holidays;
- (3) \$74.00 per hour for Sundays;
- (4) \$18.50 per quarter-hour for Sundays;
- (5) With a minimum of \$16.50.

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§ 130.22 User fees for inspection services outside the United States.

(a) If inspection services (including inspection, testing, and supervision services) are performed outside the United States, in accordance with this title, and the regulations do not contain a provision for payment of the cost of the service, the person requesting the service must pay a user fee under this section.

(b) Any person who wants APHIS to provide inspection services outside the United States must contact the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import-Export, 4700 River Road, Unit 38, Riverdale, Maryland 20737-1231, to make an agreement.

(c) All agreements must include the following:

- (1) Name, mailing address, and telephone number of either the person re-

questing the inspection services, or his or her agent;

(2) Explanation of inspection services to be provided, including the regulations in title 9, Code of Federal Regulations which provide for the services;

(3) Date(s) and time(s) the inspection services are to be provided;

(4) Location (including street address) where inspection services are to be provided;

(5) An estimate of the actual cost, as calculated by APHIS, to provide the described inspection services for 6 months;

(6) A statement that APHIS agrees to provide the inspection services;

(7) A statement that the person requesting the inspection services, or, if appropriate, his or her agent, agrees to pay, at the time the agreement is entered into, a user fee equal to the estimated cost of providing the described inspection services for 6 months; and

(8) A statement that the person requesting the inspection services, or, if appropriate, his or her agent, agrees to maintain a user fee payment account equal to the cost of providing the described inspection services for 6 months, as calculated monthly by APHIS.

(d) APHIS will enter into an agreement only if qualified personnel can be made available to provide the inspection services.

(e) An agreement can be terminated by either party on 30 days written notice.

(f) If, at the time an agreement is terminated, any unobligated funds remain in the user fee payment account, APHIS will refund the funds to the person who requested the inspection services, or his or her agent.

[57 FR 771, Jan. 9, 1992. Redesignated at 58 FR 67655, Dec. 22, 1993; 59 FR 67617, Dec. 30, 1994]

§§ 130.23—130.48 [Reserved]

§ 130.49 Exemptions.

(a) *Veterinary diagnostics.* User fees for veterinary diagnostic services, including, but not limited to, tests and diagnostic reagents specified in §§ 130.14 through 130.18, are not charged under the following conditions: